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FM AMEMBASSY SARAJEVO

TO RUEHC/SECSTATE WASHDC IMMEDIATE 7900

INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE IMMEDIATE

RUEHBS/USEU BRUSSELS IMMEDIATE

RUFOAOA/USNIC SARAJEVO IMMEDIATE

RUEKJCS/JCS WASHINGTON DC IMMEDIATE

RUEHNO/USMISSION USNATO IMMEDIATE 0221

RUEKJCS/SECDEF WASHDC IMMEDIATE

RUEAIIA/CIA WASHINGTON DC IMMEDIATE

RHEFDIA/DIA WASHINGTON DC IMMEDIATE

RHEHNSC/NSC WASHDC IMMEDIATE

RHMFISS/COMUSNAVEUR NAPLES IT IMMEDIATE

RHMFISS/HQ USEUCOM VAIHINGEN GE IMMEDIATE

XMT AMEMBASSY BELGRADE

C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 000361

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DEPARTMENT FOR EUR (DICARLO), EUR/SCE (FOOKS/STINCHCOMB);
NSC FOR BRAUN; OSD FOR BEIN

E.O. 12958: DECL: 02/23/2018

TAGS: PGOV PREL PINR MARR BK

SUBJECT: BOSNIA - BRCKO SUPERVISOR REQUESTS EUFOR/NATO
SUPPORT IN THE EVENT OF A REPUBLIKA SRPSKA INDEPENDENCE
REFERENDUM

REF: A. SARAJEVO 348

1B. SARAJEVO 331

Classified By: Ambassador Charles L. English. Reasons 1.4(b) and (d).

11. (C) On February 21, Brcko District Supervisor and Principal Deputy High Representative Raffi Gregorian sent a letter to EUFOR Commander General Villalain and NATO Commander General Wightman noting "implicit and explicit calls by Republika Srpska (RS) government officials, politicians and non-governmental organizations" for a referendum on the independence of the RS. Gregorian noted that any such activities would be a "direct challenge to the Dayton Peace Accords and to the safe and secure environment in Brcko." He anticipated that the Brcko Police, with only 250 officers, would be unable to prevent a referendum, which would be illegal in Brcko, or contain Bosniak and Croat reactions to an attempt to hold one. Gregorian indicated that "should any independence scenario develop" he would likely need to call on EUFOR and NATO. Full text of the letter is contained in paragraph two below.

12. (C) BEGIN TEXT:

Dear General Villalain and General Wightman,

In its Final Award of March 5, 1999, the Arbitral Tribunal for the Dispute over the Inter-Entity Boundary in the Brcko Area created the Brcko District as a territory from which entity forces were prohibited. Since the new Armed Forces of Bosnia and Herzegovina (AFBiH) replaced the entities' armed forces and ministries on 1 January 2006, I amended the Statute of Brcko District on 2 February 2007 to reflect the fact that the AFBiH are allowed in the district. Article 7 ("Military Forces") reads that:

"The only military forces permitted on the territory of the District shall be the armed forces of Bosnia and Herzegovina, and international or other armed forces present pursuant to either a status-of-forces agreement with Bosnia and Herzegovina or an authorizing action of the North Atlantic Treaty Organization, the European Union or the United Nations Security Council. No other military forces of any kind,

including but not limited to Entity or paramilitary forces, shall be permitted in the District."

Article 65 ("Hot Pursuit") goes on to state that:

"(1) Entity police forces shall have no legal authorities in the District, save to the extent provided for by the laws of the District or of Bosnia and Herzegovina."

Moreover, on 2 February 2007, I issued a Supervisory Order prohibiting the holding of any referenda in Brcko District without my prior, written approval.

I draw these articles and my order to your attention because of the unremitting stream over the past two years of implicit and explicit calls by RS government officials, politicians, and non-governmental organizations, as well as statements by Serbian government and other foreign government officials for a referendum on the independence of the RS or even an outright declaration of independence.

Given Brcko District's strategic importance connecting the two halves of the RS, I am concerned that any move in the direction of independence, whether through a declaration, a referendum, or other act, could entail attempts by police or paramilitary forces associated with the RS to operate inside Brcko District in contravention of the Final Award, the Statute, and my Supervisory Order. It is conceivable that such forces could be supported by elements operating out of the Republic of Serbia, as was the case in 1992.

Any such activities would be a direct challenge to the Dayton Peace Accords and to the safe and secure environment in Brcko

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as well as the wider region. With only 250 officers, the Brcko District Police would be incapable of preventing or containing such violations. I would expect that Croats and Bosniaks in the District would attempt to physically contest the illegal presence in the District of Police or Paramilitary forces associated with the RS. In such circumstances, violence is almost a certainty. In addition, whatever actions the Republic of Croatia might feel compelled to take in such a situation must also be considered.

Should any independence-related scenario develop, I will need to call on EUFOR and its gendarmerie units to help secure the District and control civil unrest. Should the threat go beyond the ability of on-hand or theatre-based EUFOR elements, then I would feel compelled to call on NATO, as the strategic reserve for EUFOR, to intervene.

I informed the NATO Secretary General in March 2007 during his visit to Sarajevo that the Alliance's strategic reserve role for EUFOR could be required if political stability in Bosnia and Herzegovina continued to decline and the security situation deteriorated. This letter therefore serves as an additional notification of the potential need to deploy international forces to Brcko in a timely fashion to prevent a wider conflict in Bosnia and Herzegovina and the region. I would therefore welcome the initiation of a discussion about contingency planning related to Brcko District.

Sincerely,
Dr. Raffi Gregorian
Supervisor of Brcko District

END TEXT
ENGLISH